

CHAPTER NO. 68

HOUSE BILL NO. 2035

By Representatives Sands, White

Substituted for: Senate Bill No. 1997

By Senator Blackburn

AN ACT to enact the "Curfew for Maury County Minors Act of 2001".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Curfew for Maury County Minors Act of 2001."

SECTION 2. The purpose of this act is to increase the public safety for minors and citizens in Maury County through creation of a curfew for minors.

SECTION 3. Curfew for Minors.

(a) No person under the age of eighteen (18) years shall loiter, idle, wander, play or be in and upon the public streets, highways, alleys, parks, playgrounds, schools or other public grounds, public places, and public buildings, places of amusement and entertainment, vacant lots or any unsupervised place within Maury County, Tennessee, between the hours of 11:00 P.M. and 5:00 A.M. Sunday through Thursday and 12:00 midnight and 5:00 A.M. on Friday and Saturday, provided, however, that this section shall not apply to any minor accompanied by his or her parent, guardian or other adult person having the care and custody of said minor; any minor upon an emergency errand or legitimate business directed by his or her parent, guardian, or other adult person having the care and custody of said minor; a child attending or returning from a school or social function for which the minor has written permission in the minor's possession from the minor's parent, guardian, or other adult person having the care and custody of said minor; or any minor going to or returning from any legitimate employment.

(b) A minor violating the provisions of this act shall commit an unruly act disposition of which shall be governed pursuant to Title 37 of the Tennessee Code Annotated.

(c) No parent, guardian or other person having the care and custody of a child under the age of eighteen (18) years shall knowingly permit such minor to loiter, idle, wander, play or be in and upon the public streets, highways, alleys, parks, playgrounds, schools or other public grounds, public places, public buildings, place of amusement and entertainment, vacant lots or other unsupervised places in Maury County, Tennessee, between the hours of 11:00 P.M. and 5:00 A.M. Sunday through Thursday and 12:00 midnight and 5:00 A.M. on Friday and Saturday, provided, however, that this shall not apply to a minor that falls within the exceptions set forth in Section 3 (a) of this act.

(d) Any parent, guardian or other person having the care and custody of a minor whose child has been the subject of a petition under this act and who has been ordered by the court to require such child to comply with the provisions of this act may be held in contempt pursuant to Tennessee Code Annotated, §37-1-158, if there is a subsequent violation by the minor; and the juvenile court may fine the parent, guardian or other person up to fifty dollars (\$50.00), may incarcerate such person for up to ten (10) days or may impose both fine and incarceration. Prior to holding such person in contempt, the court shall have such person served with notice and shall provide an opportunity to be heard by the court.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Maury County. Its approval or non-approval shall be proclaimed by the presiding officer of the Maury County legislative body and certified to the secretary of state.


SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 5.

PASSED: June 28, 2001


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 29th day of June 2001


DON SUNDQUIST, GOVERNOR